GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department – The Andhra Pradesh Devadasis (Prohibition of Dedication) Rules, 2015 – Notification Orders – Issued.

SOCIAL WELFARE (CV. PCR) DEPARTMENT

G.O.MS.No. 100 **Dated: 09.12.2015**
Read the following:

Ref: 1. G.O.Ms.No. 80, (PCR), Dept, Dated, 03.12.2010.
2. G.O.Ms.No. 7, (PCR), Dept, Dated, 14.3.2012
3. From the Commissioner of Social Welfare, A.P., Hyd Lr.Rc.No.H1/3166/ 2012, dt.30.11.2013.
4. Govt. Memo No.425/SW.PCR/2012, dt.03.04.2014, 09.04.2014 and 02.02.2015.
5. From the CSW, A.P., Hyd., Lr.Rc.No. G1/3166/2012, dt.11.05.2013.

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ORDER:

The following Notification will be published in the A.P Gazette:-

NOTIFICATION

In exercise of the powers conferred under sub-sections (1) and (2) of section 11 of the Andhra Pradesh Devadasis (Prohibition of Dedication) Act, 1988 (Act No 10 of 1988) and of all other powers here into enabling , the Government of Andhra Pradesh hereby makes the following Rules, namely:-

1. SHORT TITLE AND COMMENCEMENT:

(1) These rules may be called the Andhra Pradesh Devadasis (Prohibition of Dedication) Rules, 2015.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS:

(I) In these rules, unless the context otherwise requires:-

(a) "Act" means the Andhra Pradesh Devadasis (Prohibition of Dedication) Act, 1988;

(b) “Dedication” means the performance of any act or ceremony by whatever name called, by which a woman is dedicated to the service of a Hindu deity, Idol, object of worship, temple or other religious institution or place of worship and includes tying “Tali with Jakini” to a woman or tying a woman by a garland to a Garuda Khambham, Dhaarana and Deeksha;

(c) “Devadasi” means any woman so dedicated by whatever name called and includes Basavi, Jogini, Parvathi, Mathamma and Thayamma;

(d) “Government” means the State Government of Andhra Pradesh;

(e) “Notification” means a notification published in the Andhra Pradesh Gazette and the word “notified” shall be construed accordingly;

[Contd...2]

(f) "Temple" means a place by whatever designation known, dedicated to, or used as a place of worship; and includes a place deemed to be used as a place of worship.

(g) "Woman" means a female human being of any age;

(h) "Commissioner" means the Commissioner of Social Welfare, Andhra Pradesh State; and it includes Director of Social Welfare wherever the situation exists so.

(i) "Occurrence" means a happening or event.

(j) "Protection Cell" means a cell constituted for the purpose of facilitating awareness on the Andhra Pradesh Devadasis (Prohibition of Dedication) Act, 1988 through Non Government Organisations and to gain information on the incidences and likely potential areas.

(k) "Protection officer" means an officer of Women, Child, Disabled and Senior Citizens Department not below the cadre of Child Development Project Officer.

(l) "Perform" means the act of doing.

(m) "Persistence" means continuance.

(II) Words and expressions used in there rules but not defined herein shall carry the same meanings as are assigned to them in the Act.

3. MARRIAGE OF DEVADASI:

"Devadasi" can enter into a valid marriage. A child born of Devadasi out of reasonable period of cohabitation with a person is a legitimate person in Law and has all rights under the Law including that of inheritance.

4. ACTIVITIES CONSIDERED AS OFFENCE AND ELIGIBLE TO IMPOSE PUNISHMENT:

(1) "**Performer**" is the person, who actually performs the act of dedication.

(2) "**Promoter**" is the person, who through exhortations, inducements or coercion contributes to the persistence of the practice of dedication.

(3) "**Abettor**" is the person who through culpable negligence or covertly or openly permit the dedication, prevent the contracting of lawful marriage, and fail to act under the law to prevent and/or to initiate legal action on wrong doers, and any person who coerces or induces a woman or her parents, guardians or her relatives to dedicate.

(4) "**Propagator"** is the person, who propagates the practice of dedication of women as Devadasi.

5. **AUTHORITIES RESPONSIBLE FOR THE IMPLEMENTATION OF THE ACT:**

(1) The Government may confer the powers of Judicial First Class Magistrate on the Executive Magistrate/ Tahsildar/ MRO for conducting the trial of the offences under the Act. The District Collector/ Revenue Divisional Officer and Tahsildar will perform their duties within their respective Revenue Division.

[Contd...3]

(2) The Sub-Divisional Magistrate and a Police Officer not below the rank of Deputy Superintendent of Police shall immediately visit the place of dedication within 24 hours of occurrence of such an incident and cause an enquiry and submit report to the court.

(3) The Government may confer the powers of Judicial First Class Magistrate on the Executive Magistrate not below the rank of sub-divisional Magistrate and such Executive Magistrate shall be competent to try the cases under the Act.

(4) **Investigating Officer:** The officer-in-charge of a Police Station shall investigate the offences under the Act. He / She shall investigate within a period of 30 days from the day of registration of the FIR. He / She is also empowered to investigate against any person who prevents lawful marriage of Devadasi or their Children. If the Devadasi belongs to Scheduled Castes and Scheduled Tribes The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and The Protection of Civil Rights Act, 1955 shall be made applicable while registering the case.

(5) **Setting up of Protection Cell and Protection Officer:** The State Government shall designate a Protection Cell and a Women Protection Officer in every district for such women.

(6) **Functions of the Cell:**

(I) The Cell shall take the assistance of Non-Governmental Organizations for gaining information on the incidences / likely potential areas and individuals including both victims and perpetrators of such cases.

(II) A record of such information shall be maintained by the Cell.

(III) The Cell shall facilitate the conduct of awareness camps by Non-Governmental Organizations.

(IV) The Cell shall guide the victims in filing the complaint in the Police Station.

6. <u>PREVENTIVE MEASURES</u>:

(1) **Setting up of Vigilance & Monitoring Committees to Review implementation of Act:**

(A) There shall be a District Level Vigilance & Monitoring Committee consisting of the following members:

(1) Additional District Magistrate looking after the Law & Order	:	Chairman
(2) Additional Superintendent of Police looking after the Law & Order	:	Member
(3) Sub-Divisional Magistrate (all Divisions)	:	Members
(4) Retired Dist. Judge /Addl. Dist. Magistrate/ Judicial Magistrate (as nominated by the District Magistrate)	:	Member

[Contd…4]

(5) Non- Govt. Organization (who are engaged in the welfare activities of Devadasi) : Two Members

(6) Executive Director, District SCSC Society : Member

(7) Joint Director/ Deputy Director Social Welfare Department : Member Convener

The Committee shall meet once in every quarter.

(B) <u>District Level Vigilance & Monitoring Committee shall be performing the following duties:</u>

(1) The Committee shall identify temples and religious institutions with a history of dedications and issue instructions to the Trusty or people concerned with management of such institutions to render a sworn affidavit to the effect that no dedications are being performed or permitted further.

(2) Conduct surveys periodically to identify Devadasi Women.

(3) The Police and Revenue Officials in their jurisdiction shall supervise and take all necessary steps to prevent such dedication and such supervision shall not be restricted for creating awareness by organizing camps particularly in Devadasi prone villages.

(4) Take cognizance of offence and initiate criminal proceedings against the offenders under the Act.

(5) The Committee shall ensure that if the girl is a minor, she must be kept either in the custody of her mother or her family or placed in a rescue home and she must be provided with medical aid.

(6) Ensure the rehabilitation of Devadasi women as per rehabilitation. Quarterly reports shall be sent to the State Level Vigilance & Monitoring Committee.

(7) The Committee shall ensure the follow up of the rehabilitation of Devadasi women till the time the Committee certifies that rehabilitation is complete.

(c) <u>Sensitization and Training</u>:

(1) A module on The Andhra Pradesh Devadasis (Prohibition of Dedicaiton) Act, 1988 may be included in the curriculum of the Police Training colleges and Police Academy to sensitize and train Police Officers.

(2) Orientation Training on the Andhra Pradesh Devadasis (Prohibition of Dedicaton) Act, 1988 shall be given to the Sub-Divisional Magistrates, Mandal Executive Magistrates, Joint Directors/ Deputy Directors (Social Welfare), Assistant Social Welfare Officers, Executive Directors, District SCSC Society, Law Officers, the Members of the District Vigilance and Monitoring Committee, public representatives and Panchayat Raj Institutions.

(3) Regular sensitization programmers for general public and teachers through use of mass-media shall be taken up.

[Contd….5]

(D) There shall be a State Level Vigilance & Monitoring Committee Consisting of the following Members:

(1) Minister for Social Welfare Empowerment and Tribal Welfare Empowerment.	:	Chairman
(2) Minister for Home Department.	:	Member
(3) Minister for Women, Child, Disabled And Senior Citizens Dept.	:	Member
(4) Principal Secretary to Govt., Home Dept.	:	Member
(5) Principal Secretary to Govt., Tribal Welfare Dept.	:	Member
(6) Principal Secretary to Govt., Women, Child, Disabled and Senior Citizens Dept.	:	Member
(7) Director General of Police.	:	Member
(8) Secretary to Govt., Law Dept.	:	Member
(9) Commissioner/ Director, Social Welfare.	:	Member
(10) Managing Director, APSCCFC Ltd.	:	Member
(11) Two Non-Govt. Organizations (who are engaged in the welfare activities of Devadasi)	:	Member
(12) Principal Secretary to Govt., Social Welfare Dept.	:	Member Convener.

The Committee shall review the status of Implementation of the Act on half yearly basis and shall send the reports to the Govt.

7. <u>RELIEF & REHABILITATION</u>:

(1) The Government shall from time to time fix appropriate and suitable relief, rehabilitation to the victims under the A.P. Devadasis (Prohibition of Dedication) Act, 1988 and lay down the procedure for providing such relief and rehabilitation.

(2) The relief and rehabilitation shall include but not limited to,

(I) Providing a house of not less than 250 sq.ft. plith area (as per the norms of the Housing Department).

(ii) Economic assistance for gainful employment.

(iii) Free education of children in Govt. Social Welfare & Tribal Welfare Residential Schools upto XII Standard.

(iv) Declare the debt (bonded) if any or part of any debt (bonded) shall be deemed to have been extinguished as per the Bonded Labour System (Abolition) Act, 1976.

(V) Incentives as applicable for inter-caste marriage.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

TO
The Commissioner of Printing, Stationary and Stores Purchase,
Chanchalguda, Hyderabad. (With a request to publish in the extra-ordinary A.P Gazette and furnish 500 Gazette copies)

[Contd….6]

The Commissioner of Information & Public Relations Department
All the District Collectors in the State.
All the Revenue Divisional Officers and Mandal Revenue Officers through the District Collectors concerned)
The Director of Social Welfare, A.P, Hyderabad.
The Director of Tribal Welfare, A.P, Hyderabad.
The Commissioner of Back Ward Classes Welfare, A.P, Hyderabad.
All the Departments of Secretariat (with a request to communicate these orders to the HOD's under their control)
All the Superintendents of Police in the State.
The Director, TCR & TI, Hyderabad.
The Registrar, AP, High Court, Hyderabad.
The Registrar, AP, Hyderabad,

Copy to:

The Law (C) Department,
The PS to Secretary to C.M.
The PS to Minister (SWE & TWE)
The PS to Minster (Home)
The PS to Minister (WCD&SC Dept.)
The PS to Minister (Revenue)
The Ps to Principal Secretary (SW)
The Ps to Principal Secretary (TW)
The Ps to Principal Secretary (BCW)
SC/SF

// FORWARDED:: BY ORDER //

SECTION OFFICER